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REMARKS

In order to expedite prosecution, a telephone interview with Examiner Song and Supervisor Utech was conducted on October 9, 2003. Applicant and Applicant's representative would like to thank Examiner Song and Supervisor Utech for their courtesy in conducting the interview and for their assistance in resolving issues. Claims 11, 15 and 19 are independent.

As a result of the interview, it was agreed that the enclosed amendment would be entered and considered on the merits, and that claim 11 is patentable over the cited prior art and would therefore be allowed pending an updated prior art search. As previously mentioned, claim 11 requires that initial bowing exhibited by the layered substrate be reduced by growing an epitaxial layer so that the layered substrate exhibits less bowing (or eliminates bowing altogether) than the initial bowing exhibited by the layered substrate before the epitaxial layer was grown thereon. None of the cited prior art discloses or suggests such a feature.

In addition, Mr. Utech tentatively agreed that the rejections against claims 15 and 19 were improper, but indicated that further consideration of the references of record as well as prior not currently of record would need to be conducted before allowance thereof. Further, Mr. Utech indicated that claims 11 and claims 15, 19 were patentably distinct so as to justify a restriction requirement.

Accordingly, in order to expedite prosecution, Applicant has agreed to elect claims 11-14 and 24-26 for further prosecution in this application and reserves the right to prosecute claims 15-17, 19-23, 27, 31 and 32, which the Examiner has indicated as being patentably distinct, in a divisional application. It was agreed that the formal

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restriction and election will be made of record upon the Examiner's response to this amendment.

CONCLUSION

Having fully and completely responded to the Office Action, Applicant submits that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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10/9/03
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